

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

AT SEATTLE

10 IMAN GIRGIS,) Case No. 08-cv-00782
11)
12 Plaintiff,) ANSWER OF ALLIANCEONE
13) RECEIVABLES MANAGEMENT, INC.
14 vs.) TO COMPLAINT
15)
16 ALLIANCEONE RECEIVABLES)
17 MANAGEMENT, INC.)
18)
19 Defendant.)
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21 Comes now the Defendant, AllianceOne Receivables Management, Inc. ("AllianceOne"),
22 by and through its counsel, Kevin Underwood, and in answer to the Plaintiff's complaint states
23 as follows:

24 I: NATURE OF ACTION

- 25 1. As to the allegations in paragraph 1, AllianceOne admits only that this is an action for
26 damages for alleged violation of the Fair Debt Collection Practices Act, 15 U.S.C. §
27 1692, *et seq.* (hereinafter "FDCPA"), and the Revised Code of Washington, Chapter
28 19.16, and a claim for alleged invasion of privacy. The remainder of the allegations
29 assert a legal conclusion to which no response is required. To the extent any further
 factual allegations are asserted, AllianceOne denies the same.

Answer of AllianceOne to Complaint - 1

Kevin Underwood
KC Hawthorne
Attorneys for Defendant
P.O. Box 2449
Gig Harbor, Washington 98335
253-620-2202

II: JURISDICTION

2. As to the allegations in paragraph 2, AllianceOne denies same.

III: PARTIES

3. As to the allegations in paragraph 3, AllianceOne on information and belief admits that Plaintiff is a natural person residing in the State of Washington and the County of King, but denies that she is a resident of the City of Olympia.
 4. As to the allegations in paragraph 4, AllianceOne denies same.
 5. As to the allegations in paragraph 5, AllianceOne admits only that it is a corporation with limited liability for its shareholders, and denies the remainder of said allegations.
 6. As to the allegations in paragraph 6, AllianceOne denies same.

IV: FACTUAL ALLEGATIONS

7. As to the allegations in paragraph 7, including all subparagraphs thereof, AllianceOne admits only that it contacted plaintiff in an attempt to collect a debt, and denies the remainder of said allegations.
 8. As to the allegations in paragraph 8, AllianceOne denies same.
 9. As to the allegations in paragraph 9, AllianceOne denies same.
 10. As to the allegations in paragraph 10, AllianceOne denies same.

COUNT I: VIOLATION OF FDCPA

11. As to the allegations in paragraph 11, AllianceOne admits that the Plaintiff reincorporates by reference all of the preceding paragraphs, and AllianceOne incorporates by reference its answers to all of the preceding paragraphs.

COUNT II: VIOLATION OF WASHINGTON COLLECTION AGECPV ACT

12. As to the allegations in paragraph 12, AllianceOne admits that the Plaintiff reincorporates by reference all of the preceding paragraphs, and AllianceOne incorporates by reference its answers to all of the preceding paragraphs.

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2 COUNT III: COMMON LAW INVASION OF PRIVACY BY INTRUSION

- 3 13. As to the allegations in paragraph 13, AllianceOne admits that the Plaintiff reincorporates
4 by reference all of the preceding paragraphs, and AllianceOne incorporates by reference
5 its answers to all of the preceding paragraphs.

6 AFFIRMATIVE DEFENSES

7 AS AND FOR FURTHER ANSWER HEREIN, AND AS ITS AFFIRMATIVE
8 DEFENSES, ALLIANCEONE asserts as follows:

- 9
10 1. Plaintiff is not entitled to maintain his complaint due to the existence of the following
11 affirmative defenses:

- 12 a) lack of jurisdiction over subject matter;
13 b) failure to state a claim;
14 c) contributory negligence;
15 d) estoppel;
16 e) laches;
17 f) waiver;
18 g) failure to mitigate damages
19 h) set off;
20 i) unclean hands;
21 j) accord and satisfaction;
22 k) assumption of risk;
23 l) duress;
24 m) bona fide error.

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29 2. Plaintiff has brought this claim in bad faith for the purpose of harassment.

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2 WHEREFORE. AllianceOne prays that Plaintiff's Complaint be dismissed with
3 prejudice, and that AllianceOne recover its costs and reasonable attorney fees incurred in
4 defending this action.
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6 Respectfully submitted this 27th day of June, 2008.

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8 Kevin Underwood, WSBA #15711
9 Attorney for Defendant
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Answer of AllianceOne to Complaint - 4

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Form B

Certificate of Service

I hereby certify that on 06-27-08, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following: Jon N. Robbins Attorney for Plaintiff, and I hereby certify that I have mailed by United States Postal Service the documents to the following non-CM/ECF participants: _____



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